

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COZEN O'CONNOR, P.C.	:	CIVIL ACTION
	:	
v.	:	
	:	
RICHARD S. FISCHBEIN	:	NO. 09-4931

ORDER

AND NOW, this 16th day of March, 2010, upon consideration of the complaint (docket entry # 1), defendant's motion to dismiss pursuant to F.R.C.P. 12(b)(2) and 12(b)(3) or, in the alternative, to transfer venue pursuant to 28 U.S.C. § 1404 (docket entry # 7), plaintiff's response thereto (docket entry # 13), and defendant's motion for leave to file a reply brief (docket entry # 18), it is hereby ORDERED that:

1. Defendant's motion for leave to file a reply brief (docket entry # 18) is GRANTED;

2. The Clerk of Court shall DOCKET defendant's reply brief, which is attached to his motion for leave to file a reply brief as Exhibit A;

3. Defendant's motion to dismiss (docket entry # 7) is GRANTED IN PART and DENIED IN PART;

4. Defendant's motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(2) and (12)(b)(3) is DENIED;

5. Defendant's motion to transfer this action to the

Southern District of New York is GRANTED;

6. The Clerk of Court shall TRANSFER this matter and all case papers to the Southern District of New York; and

7. The Clerk of Court shall CLOSE this matter statistically.

BY THE COURT:

\_\_\_\s\Stewart Dalzell